

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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PETER ALLEN, *et al.*

Plaintiffs,

-VS.-

CARL KOENIGSMANN, *et al.*

Defendants.

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**ORDER TO PRODUCE**

**19-cv-8173 (LAP)**

**ECF**

**TO: Superintendent, Green Haven Correctional Facility  
594 NY – 216  
Stormville, New York 12582**

**WHEREAS** Gary Smith DIN #17A0056 is a putative class member in the above-captioned matter;

**WHEREAS** Mr. Smith is currently in custody at Green Haven Correctional Facility in Stormville, New York; and

**WHEREAS** Mr. Smith's testimony is needed for an evidentiary hearing in the above-captioned matter; and

**WHEREAS** Green Haven Correctional Facility has already been ordered to reserve the video conferencing equipment for February 9, 2023; and

**NOW THEREFORE, IT IS ORDERED** that the SUPERINTENDENT OF GREEN HAVEN CORRECTIONAL FACILITY produce Johnny Cooks on February 9, 2023 at 1:00 pm until his testimony is complete and/or the day's proceedings have ended to the location of the video conferencing equipment in Green Haven Correctional Facility; and

**IT IS FURTHER ORDERED** that Mr. Smith must be allowed to participate in the video conference in a privileged and confidential manner; DOCCS personnel must allow him to bring any legal papers Mr. Smith has been sent by his counsel and he shall be allowed to testify without the presence of any third parties in the room, unless bona fide safety and security issues necessitate the presence of a member of DOCCS' personnel.

Dated: January 24, 2023

So ordered:   
LORETTA A. PRESKA, U.S.D.J.